

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CARL E. WATSON)
)
v.) Civil Action No. 3:10-0164
) Judge Trauger/Knowles
V.A. HOSPITAL/REGIONAL COUNSEL)

O R D E R

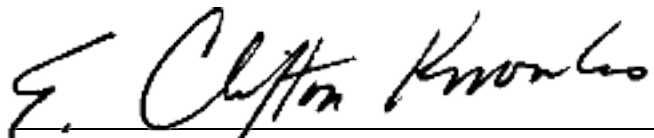
This is a pro se action raising claims under Title VII of the Civil Rights Act of 1964. This case was removed from Davidson County Circuit Court on February 18, 2010. Docket No. 1. Plaintiff completed a summons addressed to Assistant United States Attorney, Mercedes C. Maynor-Faulcon, which was issued on June 23, 2010. The Court notes that the Proof of Service of Summons to Ms. Maynor-Faulcon was filed on that same date signed by the plaintiff, Carl E. Watson. Docket No. 11. The Government has filed a Notice of Inadequate Service of Defendants (Docket Entry No. 16), which states that there has been inadequate service of the summons and complaint on Defendant.

Rule 4(m) of the Federal Rules of Civil Procedure provides in pertinent part as follows:

Time Limit for Service. If a defendant is not served within 120 days after the complaint is filed, the court - on motion or on its own after notice to the plaintiff - must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period..

Within twenty (20) days of the date of entry of this Order, therefore, Plaintiff shall file a written statement showing good cause for his failure to properly serve the Defendant within 120 days after the filing of the Complaint. If Plaintiff fails to comply with the provisions of this Order, the undersigned will recommend that this action be dismissed without prejudice.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "E. Clifton Knowles", written over a horizontal line.

E. CLIFTON KNOWLES
United States Magistrate Judge